

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

BUERGOFOL GMBH, Plaintiff, vs. OMEGA LINER COMPANY, INC., Defendant.	CIV. 22-CV-04112-KES MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF
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Plaintiff Buergofol GmbH, by and through its counsel of record, submits this motion seeking leave of Court to submit an overlength brief. Local Rule 7.1 provides that briefs may not exceed 30 pages.

Buergofol submits that, based on the number of allegations in Defendant Omega Liner Company, Inc.'s Answer and Counterclaims, which totaled 70 pages (not including exhibits), a brief exceeding the page length set by Local Rule 7.1 is necessary to address Buergofol's arguments in support of its motions pursuant to Rules 9(b), 12(b)(6), and 12(f). Accordingly, Buergofol requests permission to file its brief, which exceeds the page length cited above.

Dated at Sioux Falls, South Dakota, this 29th day of August, 2023.

**DAVENPORT, EVANS, HURWITZ
& SMITH, L.L.P.**

By /s/ Elizabeth S. Hertz
Elizabeth S. Hertz
P.O. Box 1030
206 West 14th Street
Sioux Falls, SD 57101-1030
Phone (605) 357-1263
Fax (605) 335-3639
Email ehertz@dehs.com

Attorneys for Plaintiff Buergofol

IMPERIUM PATENT WORKS LLP

Darien K. Wallace

T. Lester Wallace

P.O. Box 607

315 Ray Street

Pleasanton, CA 94566

Phone (925) 550-5067

Fax (925) 835-5804

Email darien@imperiumpw.com

lester@imperiumpw.com

Attorneys for Plaintiff Buergofol

Pro Hac Vice